

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FELIPE RODRIGUEZ,

Plaintiff,

- against -

THE CITY OF NEW YORK, ET AL.

Defendants.

**PLAINTIFF'S
INITIAL DISCLOSURES**

21 CIV. 01649 (AMD)

1. Plaintiff Felipe Rodriguez, by and through his undersigned counsel, ZMO Law PLLC, hereby submits Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(A). Plaintiff reserves the right to supplement and amend the information herein as discovery progresses.

(a) The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

1. **Plaintiff: Felipe Rodriguez: c/o ZMO Law PLLC, 260 Madison Ave, 10016, (212) 685-0999; zach@zmolaw.com - knowledge of Defendants' unlawful actions as alleged in the Complaint;**
2. **Karem Abd El Hafez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;**
3. **Jose Aguilar - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;**
4. **Robert Alexander: [REDACTED] - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;**
5. **Alvin Alston, c/o Tess Cohen, Esq., ZMO Law PLLC, 260 Madison Ave., 17th Fl., New York, NY 10016 - knowledge of Defendants' unlawful actions as alleged in the Complaint, including coercion and the fabrication of evidence;**
6. **John Anabury - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;**
7. **Paul Annitto - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;**

8. Nancy Baptista - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
9. John Beisel: c/o City of New York Law Department, 100 Church Street, New York, NY 10007, (212) 356-3519, mzuckerm@law.nyc.gov – knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
10. Loida Benitez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
11. Irma Borges - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
12. L.A. Bostic - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
13. FNU Bridges - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
14. Gregg Bronwasser - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
15. John Califano: c/o City of New York Law Department, 100 Church Street, New York, NY 10007, (212) 356-3519, mzuckerm@law.nyc.gov - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
16. Francis Callery - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
17. FNU Cambridge - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
18. William Casey - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
19. Paula Cervera - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
20. Grace Cesnauskas - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
21. Pierre Charles - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
22. John Cherperak - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
23. FNU Ciravalo - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

24. City of New York: c/o City of New York Law Department, 100 Church Street, New York, NY 10007, (212) 356-3519, mzuckerm@law.nyc.gov - documents from the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
25. Fernando Contres - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
26. Jill Cramer - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
27. Julian Csizmazia - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
28. FNU Dallanegra - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
29. FNU Daly - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
30. Maxie Davis - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
31. FNU Delaney - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
32. Myrta "Cookie" Delgado - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
33. Lisa Dellilune - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
34. Josephine DelSanto - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
35. Edward Denning - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
36. Rafael Diaz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
37. David Dikman: [REDACTED] - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
38. Angela Dones - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
39. Sandy Dones - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

40. Denise Durant - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
41. Jerry Fennel: c/o Hoguet Newman Regal & Kenny, LLP, One Grand Central Place, 60 East 42nd Street, 48th Floor, New York, NY 10165, (212) 689-8808, ssilverberg@hnrklaw.com - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
42. Wilhelmina Fensterer - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
43. Norma Fernandes - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
44. Tricia Fernandes - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
45. Carney Fernandez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
46. Raymond Figueroa - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
47. Colleen Fleury - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
48. Georgette Fleury - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
49. J. B. Flynn - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
50. Robert Forgit - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
51. Dennis Franklin - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
52. FNU Garcia - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
53. Altı Garcia Duran - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
54. Peter Giordano - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
55. Iris Giribaldi - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

56. Debbie Gonzalez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
57. Jimmy Gonzalez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
58. Victor Gonzalez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
59. FNU Groteke - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
60. Jose Guiterres - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
61. Freddy Halfon - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
62. FNU Hansard - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
63. Bruno Hayes - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
64. FNU Herring - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
65. Sergeant FNU Hickman - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
66. Mike Hines - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
67. FNU Holder - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
68. FNU Hoskins - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
69. FNU Kaufman - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
70. John Keegan - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
71. FNU Kehoe - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
72. Frank Kelly - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

73. Shirley Kent - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
74. FNU Kilbride - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
75. Michael Kilpatrick - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
76. Kristin K. Kucsma, MA, Sobel Tinari Economics Group, [REDACTED] expert who analyzed Mr. Rodriguez's economic damages;
77. Beris Latham - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
78. FNU Leahey - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
79. FNU Ledda - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
80. Kelvin Lewis - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
81. FNU Lindemann - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
82. Dominick Liotta - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
83. Kenneth Litwack: [REDACTED] knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
84. Long Island Railroad Company: c/o Hogue Newman Regal & Kenny, LLP, One Grand Central Place, 60 East 42nd Street, 48th Floor, New York, NY 10165, (212) 689-8808, ssilverberg@hnrklaw.com - documents from the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
85. Jerome LoVerdi - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
86. P.J. Loverso - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
87. Jenny Maiolo - knowledge of the trial of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated (deceased);

88. Giacomo Mangano - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
89. Matteo Mangano - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
90. Carlo Marconi - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
91. Sal Marinello - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
92. Clara Marrero - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
93. Robert Masters: [REDACTED] - knowledge of the re-investigation of Plaintiff's prosecution;
94. Wanda Matos - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
95. Malba McAffie - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
96. R. McCarthy - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
97. R. McLaughlin - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
98. Betty McNeill - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
99. George McNeill - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
100. Georgette McNeill - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
101. Kathy McNeill - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
102. Miriam McNeill - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
103. Robert McNeill - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
104. T. Meehan - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

105. Metropolitan Transportation Authority: c/o Hoguet Newman Regal & Kenny, LLP, One Grand Central Place, 60 East 42nd Street, 48th Floor, New York, NY 10165, (212) 689-8808, ssilverberg@hnrklaw.com;
106. FNU Monroe - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
107. Iris Montalvo - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
108. Jeanette Mora - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
109. Nina Morrison, Esq., [REDACTED] – knowledge of the re-investigation of Plaintiff's prosecution;
110. Joseph Mottle - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
111. R. Murphy - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
112. Luis Nieves - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
113. Hugh Nixon - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
114. FNU Olleck - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
115. Iris Ortiz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
116. Milagros Ortiz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
117. Patricia Owens: 68 Applecross Dr, Clayton, NC 27520-3620, (347) 419-5335 - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
118. Michael Pafitis - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
119. Richard Pereira: [REDACTED] knowledge of Defendants' unlawful actions as alleged in the Complaint, including coercion and the fabrication of evidence;

120. Gina Perez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
121. Jose Perez Rivera - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
122. William Perry - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
123. Raymond Pierce - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
124. Salvino Plaia - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
125. John Pyne - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
126. FNU Quaranta - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
127. Anibal Ramirez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
128. Javier Ramos: c/o Daniel McGuinness, Esq., 260 Madison Ave., 17th Fl. New York, NY 10016 – knowledge of Defendants’ unlawful actions as alleged in the Complaint, including coercion and the fabrication of evidence;
129. Vilma River - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
130. Amy Rivera - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
131. Manny Rivera - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
132. Yvette Rivers - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
133. Mike Rizzo - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
134. FNU Roche - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
135. Gladys Rodriguez: c/o ZMO Law PLLC, 260 Madison Ave, 10016, (212) 685-0999; zach@zmolaw.com - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated; knowledge of Plaintiff’s whereabouts at the time of the murder for which

Plaintiff was convicted; knowledge of specific trial misconduct by John Beisel and John Doe Detective;

136. Emma Rodriguez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
137. Theresa Rodriguez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
138. Tom Rosa - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
139. Adaline Ruiz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
140. Edwin Ruiz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
141. Marlene Ruiz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
142. Alan Safran: 10 Landholm Rd, Newton, MA 02458-1933 (339) 203-4700, alan@alan-safran.com - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
143. Maria Samuel - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
144. William Sanchez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
145. Carmen Sanchez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
146. Timothy Sanford - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
147. Patrick Scalza - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
148. Mike Schilling - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
149. Christine Schmidt - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
150. V. Seniwongse - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
151. Joanne Sgueglia - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

152. Melvin Shaw - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
153. Peter Sierra - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
154. William Smith - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
155. Robert Soloney - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
156. Blossom Stephenson - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
157. Thomas Sullivan: c/o Hoguet Newman Regal & Kenny, LLP, One Grand Central Place, 60 East 42nd Street, 48th Floor, New York, NY 10165, (212) 689-8808, ssilverberg@hnrklaw.com - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
158. Robert Thompson - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
159. Chrys Tznis - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
160. FNU Urquhart - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
161. Parlo Varvarro - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
162. Lillian Vasquez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
163. Rubin Vasquez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
164. Carlos Vega - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
165. Louis Vega – conducted polygraph examination of Robert Thompson on or about March 1, 1988;
166. Liz Velez - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
167. Paul Vero - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

168. Hilda Vonilla - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
169. William Walsh - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
170. Charles Wendel: c/o Hoguet Newman Regal & Kenny, LLP, One Grand Central Place, 60 East 42nd Street, 48th Floor, New York, NY 10165, (212) 689-8808, ssilverberg@hnrklaw.com - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
171. James White - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
172. Juanita White - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
173. Mildred White - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
174. John Wilde: c/o City of New York Law Department, 100 Church Street, New York, NY 10007, (212) 356-3519, mzuckerm@law.nyc.gov - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
175. Bill Wilson - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
176. George Zaroogian: c/o City of New York Law Department, 100 Church Street, New York, NY 10007, (212) 356-3519, mzuckerm@law.nyc.gov - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
177. FNU Zinkiewicz - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
178. Steven Zissou: [REDACTED] - knowledge of the prosecution and appeal of the conviction of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
179. Alfredo Zuniga - knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;
180. Any person(s) listed in Defendant's Initial Disclosures;
181. Any person(s) identified through the course of discovery who has knowledge of the investigation of the murder for which Plaintiff was convicted, and of which Plaintiff was later exonerated;

182. Records custodian of any party, or entity, served with a subpoena in this matter;

183. Any expert witness(es) identified by any party.

Plaintiff will disclose the identity of any retained expert in accordance with the requirements set forth in the Federal Rule of Civil Procedure any Scheduling Order entered in this case.

Plaintiff also reserves the right to call: (1) witnesses necessary to publish exhibits at trial; (2) all witnesses listed by Defendants in their initial disclosures or any witness list; (3) all necessary rebuttal and sur-rebuttal witnesses; (4) all persons identified by the parties in any related case or other action involving Defendants. Plaintiff also reserves the right to supplement or amend the above listing and name additional individuals as investigation and discovery continue.

(b) A copy – or a description by category and location – of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

- a. Transcript of Huntley-Wade hearing, transcript of Plaintiff's trial proceedings, transcript of sentencing hearing, criminal complaint against Plaintiff, and omnibus motion filed by Plaintiff during criminal trial. FR_000001-001175, FR_003065-003295;
- b. Grand jury materials, including prosecution memorandum and transcript of proceedings, March 1989. FR_007100-007204;
- c. Order vacating Plaintiff's conviction, December 30, 2019. FR_001176-001178;
- d. Motions and supporting documents pertaining to Plaintiff's post-conviction proceedings. FR_001176-001311, FR_001534-001755, FR_002857-002866;
- e. Transcript of C.P.L. 440.30 hearing, March 19, 1992. FR_001312-001444;
- f. Application for executive clemency and supporting documents, November 3, 2016. FR_001445-001533;
- g. Petitions for writs of habeas corpus filed in federal court and related documents. FR_001756-001848;
- h. Memorandum and Order of Judge Eugene Nickerson denying Plaintiff's motion for a writ of habeas corpus, August 7, 2001. FR_001790-001796;
- i. Police reports and a transcript of interview of Robert Thompson, March 17, 1988. FR_001849-001877;

- j. NAGRA tape recording of conversation between Richard Pereira and Javier Ramos, September 1988. FR_003429;
- k. Transcript of NAGRA tape recording of conversation between Richard Pereira and Javier Ramos, September 1988. FR_001878-001931;
- l. Documents relating to line-ups of Richard Pereira (Sept. 10, 1988) and Felipe Rodriguez (Mar. 27, 1989). FR_001932-001944;
- m. Affidavit of Javier Ramos, March 27, 1989. FR_001945-001947;
- n. Affidavit of Javier Ramos, September 10, 1988. FR_003045-003046;
- o. Handwritten statement, September 10, 1988. FR_003526-003529;
- p. Affidavit of Gladys Rodriguez, February 26, 2020. FR_001948-001949;
- q. Email from Patrick Hoffman to Nina Morrison and Zachary Margulis-Ohnuma regarding interview of Javier Ramos, Dec. 20, 2017. FR_001950-001952;
- r. Interviews and news articles pertaining to Plaintiff's conviction, commutation, and vacatur. FR_001953-002030, FR_003426 (MP3), FR_003428 (MP3);
- s. Police reports and DD5s relating to the Maureen Fernandez murder investigation, and R. J. Masters' Complaint Follow-up Informational System. FR_002031-002737, FR_003032, FR_003034-003035, FR_003047-003050, FR_007205-007208;
- t. Emails and attachments between Robert J. Masters and Plaintiff's counsel. FR_002738-002754;
- u. Autopsy report and related documents. FR_003012-003032;
- v. Detectives' written notes concerning the Fernandez investigation. FR_002867-002870;
- w. Cellmark DNA Analysis Report, December 2, 2014. FR_002873-002882;
- x. Request from Innocence Project to ADA Eric Rosenbaum requesting post-conviction DNA Testing, November 18, 2015. FR_002883-002901;
- y. Arrest report for Felipe Rodriguez, March 27, 1989. FR_003033;
- z. Response to FOIL request for auxiliary police records of Felipe Rodriguez, August 28, 1997. FR_003036-003038;

- aa. Photographs from Fernandez investigation. FR_003039-003044;
- bb. Photograph of Felipe Rodriguez. FR_003427;
- cc. Transcripts of depositions taken in *Rodriguez v. State of New York*, Claim No. 134584. FR_003941-007099, FR_010960-011292;
- dd. Parole hearing transcripts, November 19, 2014, November 29, 2016. FR_007218-007224;
- ee. Materials disclosed by the Queens County District Attorney's Office in response to a subpoena issued in *Rodriguez v. State*, Claim No. 134584. QDA_1-3626;
- ff. Memorandum from Robert J. Masters to John M. Ryan regarding *People v. Rodriguez*, 1568/89, December 27, 2019. FR_007209-007217;
- gg. So-ordered subpoena served on the Metropolitan Transportation Authority in *Rodriguez v. State of New York*, Claim No. 134584. FR_007236-007238;
- hh. Materials disclosed by the Metropolitan Transportation Authority in response to a so-ordered subpoena in *Rodriguez v. State of New York*, Claim No. 134584. FR_007225-007235;
- ii. Documents relating to *In the Matter of Jenny M. Maiolo*, 209 A.D. 20 (1995). QDA 115-120;
- jj. Emails to and from Robert Masters provided by the Queens County District Attorney's Office in response to a subpoena so-ordered in *Rodriguez v. State of New York*, Claim No. 134584, 1568/89. FR_007276-008425;
- kk. NYPD reports relating to the Maureen Fernandez murder investigation, provided in response a so-ordered subpoena in *Rodriguez v. State of New York*, Claim No. 134584. FR_010713-010958;
- ll. Emails between Alphonso B. David, Counsel to the Governor, and Robert J. Masters, December 2016. FR_010707-010712;
- mm. Privilege log provided with documents responsive to so-ordered subpoena in *Rodriguez v. State of New York*, Claim No. 134584. FR_010959.

Plaintiff will produce non-privileged documents subject to disclosure in accordance with the scheduling order entered by the Court and any necessary protective order. Pursuant to Fed. R. Civ. P. 26(e)(1), Plaintiff reserves the right to revise, supplement, or amend the foregoing list as investigation and discovery continue.

(c) A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

a. **Employment documentation, 1988. FR_003055-003062, FR_003064.**

Damages will also be based in part on the following documents, which will be produced following the entry of a properly executed protective order:

- b. **Medical and prison records. FR_002755-002856, FR_002902-003011, FR_003051-003054;**
- c. **Notes from therapist, LCSW-R, June 19, 2019 - March 11, 2020. FR_002871-002872;**
- d. **An Appraisal of Economic Loss to Felipe Rodriguez, Kristin K. Kucsma, M.A., March 4, 2021. FR_007239-007275;**
- e. **Department of Corrections and Community Supervision records. FR_008426-009663;**
- f. **Medical records. FR_009664-010706.**

Plaintiff seeks an award of compensatory, punitive and nominal damages, and attorneys' fees and costs in this action. The full amount of these damages is not ascertainable at this time. Plaintiff will amend this response at the appropriate time as discovery in this matter continues. Plaintiff reserves the right to amend this response to include additional categories of damages as discovery in this matter continues.

(d) For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Plaintiff is currently unaware of any applicable insurance agreements.

Dated: New York, New York
August 16, 2021

/s/ Zachary Margulis-Ohnuma

Zachary Margulis-Ohnuma
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